

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

May 10, 2004

Deputy Steven Velasquez, #[redacted]

Dear Deputy Velasquez:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of five (5) days.

An investigation under File Number IAB 2112001, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards and/or 3-01/025.30, Use of Firearms and Deadly Force, on or about May 21, 2003, you placed yourself in a tactically unsafe position and remained in the path of a moving vehicle, resulting in you firing two rounds from your duty weapon at the suspect's moving vehicle.

Prior to determining this disciplinary action, your unit commander thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding. If, however, you are currently on some type of authorized leave, or are otherwise incapacitated or unavailable, you may opt to contact your unit commander in writing and request that this matter be held in abeyance until such time as you are released by your physician, or you are able to return work.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

You may receive a copy of the material on which the discipline is based by contacting Angela Vargas of the Internal Affairs Bureau at [redacted] and arranging an appointment during the ten (10) day period in which you may respond.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Eric B. Smith, Captain
Commander, Internal Affairs Bureau

EBS:EBS:av

c: Advocacy Unit
Employee Relations Unit
Neal B. Tyler, Chief, Field Operations Region I
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2112001)

761551N25A - SH-AD (11/90)



DATE: March 5, 2004

OFFICE CORRESPONDENCE FILE:

FROM: MICHAEL G. SAVIDAN, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: THOMAS M. LAING, CAPTAIN
EAST LOS ANGELES STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS NON-HIT SHOOTING, MAY 21, 2003, INVESTIGATION #2112001 (aka #2088921)**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on May 21, 2003.

The Committee met on February 26, 2004, and consisted of myself and Commanders Dennis Conte (Commander of the Department) and Lynda Castro (Commander of the Department). The Committee deemed:

- as **Founded** the allegation that Deputy Steven Velasquez #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, and/or 3-01/025.30, Use of Firearms and Deadly Force.

The Committee recommended that Deputy Velsaquez be suspended for a period of **three (3) days** without pay from the position of Deputy. The Committee further determined that Deputy Velasquez's use of force in this incident was within department policy.

MGS:KRK:kk

Table of Contents

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.? ☐	Hit? ☐
05-21-2003	East Los Angeles Station		

Incident Information

URN: 403-06885-2444-057	Date: 05-21-2003	Time: 1218 hours

City or Station: Commerce

Location: [redacted] Washington Bl., Commerce

Nature of Incident: Several deputies were attempting to detain a forgery suspect after he ran out of a bank. The suspect entered his vehicle, rammed one radio car, then drove toward one of the deputies as he attempted to exit the parking lot of the bank. The deputy fired at the suspect and his vehicle. The suspect was not struck by any bullets and was captured after a short vehicle pursuit when he crashed his car.

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, **(Parking Lot)** [circled], Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): Darkness, **(Daylight)** [circled], Other, Street Lights

Weather (*circle only one*): **(Clear)** [circled], Cloudy, Fog, Rain

Distance: 20 feet

Incident Type (*circle one or more*): Accidental, Armed Person, **(Fleeing Suspect)** [circled], Foot Pursuit, Gun Take Away, **(Moving Vehicle)** [circled], Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Other: ______

Initiated by (*circle only one*): Arrest Warrant, **(Call)** [circled], Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **(Routine Patrol)** [circled]

Total # of Shots Fired by Deputy:

Total # of Shots Fired by Suspect: 0

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Gomez	Rene		EM PM **(Day)**	**(Regular)** Overtime Off Duty
[redacted]	Verdugo	Eduardo		EM PM **(Day)**	**(Regular)** Overtime Off Duty
[redacted]	Kincaid	Jason		EM PM **(Day)**	**(Regular)** Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]				[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Strain	Thomas		**(On Duty)**, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Miranda	Crystal	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Lucas	Arthur	

PSTD Use Only

SH # 2088921

Officer Involved Shooting

URN: 403-06885-2444-057

Rollout Information					
Arrival Date 05-21-2003	Arrival Time 1300 hours	Date Submitted	Date of Recommendation		
Employee # [redacted]	Last Name Morris		First Name William		M.I B
Employee # [redacted]	Last Name Reyes		First Name Henry		M.I
Employee #	Last Name		First Name		M.I

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OV					NN	
E#1	S#1	FH	BR	9	Y	Y	NN	

Officer Involved Shooting
Involved Employee Information

URN: 403-06885-2444-057

Involved Employee

E 1

Employee # [redacted]	Last Name Velasquez	First Name Steven	M.I. A
Sex: M Race: Hisp	Rank Deputy Sheriff	Unit Assignment: East Los Angeles Station	Work Assignment (Unit #, Module, etc.): 29-Tom
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: 6 hours	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5'7" Weight: 190			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ — Number of Prior Shootings: 1
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 403-06885-2444-057

Suspect Information

S 1

Last Name: Schneider		First Name: Johnson	M.I.: M
AKA Last Name:		First Name:	M.I.:
Sex: M Race: Hisp	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 32 D.O.B. 12-29-1970	Height: 5'7" Weight: 180	FBI #: [redacted]	CII #: [redacted]
Booking #: 7701656	Primary Charge: 245 (c) P.C.	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make:	Lexus	Model: IS300	Year: 2002

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Vasquez	Rene		Emp. # [redacted]			
Arellano	Thomas		Emp. # [redacted]			
Martinez	Ruben		Emp. # [redacted]			

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
PERSONNEL INVESTIGATION

DATE	No. OF SUBJECTS	UNIT(S) INVOLVED	I.A.B. FILE No.
May 21, 2003	1	East Los Angeles Station	IV2112001

MANUAL SECTIONS ALLEGEDLY VIOLATED (BY TITLE AND No.)
PERFORMANCE TO STANDARDS 3-01/050.10

DATE, TIME, DAY OF OCCURRENCE	RELATED URN FILE No. IF APPLICABLE
May 21, 2003, 1218 hours, Wednesday	403-06885-2444-057

LOCATION OF OCCURRENCE: [redacted] Washington Bl., Commerce

SOURCE OF COMPLAINT: ☐ COMMUNITY ☐ SUPERVISION W/C REPORT No. ______ ☒ OTHER SOURCES (SPECIFY) Executive Force Review

SUBJECT	LAST NAME	FIRST NAME	M.I.	RANK OR TITLE	EMP. No.
No. 1 OF 1	Velasquez	Steve		Deputy Generalist	[redacted]

UNIT OF ASSIGNMENT	DATE ASSIGNED	DIVISION OR REGION
East Los Angeles Station	10-03-1999	Field Operations Division - Region I

STATUS OF SUBJECT: ☒ CONTINUING ON DUTY ☐ RELIEVED OF DUTY - REASSIGNED TO: ______ ☐ OTHER ______

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	D.O.B.	AGE
Male	Hispanic	Brown	Brown	5'7"	190	[redacted]	[redacted]

DATE OF HIRE	DATE APPOINTED TO RANK	INTERVIEW TAPE RECORDED ON
05-25-1994	[redacted]	TAPE ___ OF ___ SIDE ☐ A ☐ B DATE 05-21-2330 TIME 01-07-2004

PREVIOUS 7 YEAR FOUNDED INVESTIGATIONS (EXCLUDING TRAFFIC)

DATE	I.A.B. FILE No.	MANUAL SECTION(S) VIOLATED	DISCIPLINE
	None		

SUBJECT	LAST NAME	FIRST NAME	M.I.	RANK OR TITLE	EMP. No.
No. OF					

UNIT OF ASSIGNMENT	DATE ASSIGNED	DIVISION OR REGION

STATUS OF SUBJECT: ☐ CONTINUING ON DUTY ☐ RELIEVED OF DUTY - REASSIGNED TO: ______ ☐ OTHER ______

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	D.O.B.	AGE

DATE OF HIRE	DATE APPOINTED TO RANK	INTERVIEW TAPE RECORDED ON
		TAPE ___ OF ___ SIDE ☐ A ☐ B DATE ______ TIME ______

PREVIOUS 7 YEAR FOUNDED INVESTIGATIONS (EXCLUDING TRAFFIC)

DATE	I.A.B. FILE No.	MANUAL SECTION(S) VIOLATED	DISCIPLINE

CODE: C - COMPLAINANT, W - WITNESS
ADDITIONAL COMPLAINANTS, WITNESSES, OR SUBJECTS ON SUPPLEMENTAL PAGES ☐ YES ☐ NO

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	1 of 8	Schneider	John		Male	Hispanic	12-29-1970

RESIDENCE ADDRESS: California State Prison
RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT
CDL OR LASD EMPLOYEE NO.
BUS. PHONE (AREA CODE) ( )
INTERVIEW TAPE RECORDED ON TAPE ___ OF ___ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ______

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	2 of 8	[redacted]	[redacted]		Female	Hispanic	Adult

RESIDENCE ADDRESS: [redacted]
RES. PHONE (AREA CODE) [redacted]
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT
CDL OR LASD EMPLOYEE NO.
BUS. PHONE (AREA CODE) ( )
INTERVIEW TAPE RECORDED ON TAPE ___ OF ___ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ______

PRIMARY INVESTIGATOR	RANK	EMP. No.	APPROVED	DATE
Brian Morris	Sergeant	[redacted]		

ASSISTING INVESTIGATOR	RANK	EMP. No.	DATE SUBMITTED
Henry Reyes	Sergeant	[redacted]	

IF ADDITIONAL SUBJECTS, WITNESSES, COMPLAINANTS OR DISCIPLINE HISTORIES, LIST ON CONTINUATION PAGES.

I.A.B. FILE No. IV2112001

NARRATIVE SHOULD BE AN OBJECTIVE AND UNBIASED STATEMENT OF THE FACTS; INVESTIGATOR OPINIONS SHALL NOT BE INCLUDED.

No. OF ITEMS	LIST EXHIBITS/EVIDENCE FIRST (IF STORED, STATE LOCATION - AUDIO TAPES SHOULD BE CLEARLY LABELED), THEN BEGIN NARRATIVE.
	ADMINISTRATIVE RIGHTS FORMS. (ATTACH ONE FORM FOR EACH EMPLOYEE INTERVIEWED)
	AUDIO TAPES. ALL INTERVIEWS SHALL BE TAPE RECORDED AND ALL TAPES MUST BE INCLUDED. (LIST EACH INTERVIEWEE BY NAME.)

SHERIFF'S DEPARTMENT PERSONNEL INVESTIGATION
COMPLAINANT / WITNESS CONTINUATION PAGE

I.A.B. FILE No. IV2112001

CODE: C - COMPLAINANT, W - WITNESS

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	3 OF 8	Gomez	Rene		Male	Hispanic	Adult

RESIDENCE ADDRESS: Deputy Sheriff - East Los Angeles Station
RES. PHONE (AREA CODE): (323) 264-4151
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO. [redacted]
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ____

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	4 OF 8	Vasquez	Rene		Male	Hispanic	Adult

RESIDENCE ADDRESS: Deputy Sheriff - East Los Angeles Station
RES. PHONE (AREA CODE): (323) 264-4151
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO. [redacted]
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ____

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	5 OF 8	Kincaid	Jason		Male	White	Adult

RESIDENCE ADDRESS: East Los Angeles Station
RES. PHONE (AREA CODE): (323) 264-4151
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO. [redacted]
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ____

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	6 OF 8	Verdugo	Eduardo		Male	Hispanic	Adult

RESIDENCE ADDRESS: East Los Angeles Station
RES. PHONE (AREA CODE): (323) 264-4151
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO. [redacted]
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ____

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	7 OF 8	Arellano	Thomas		Male	Hispanic	Arellano

RESIDENCE ADDRESS: East Los Angeles Station
RES. PHONE (AREA CODE): (323) 264-4151
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO. [redacted]
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ____

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	8 OF 8	Martinez	Ruben		Male	Hispanic	Adult

RESIDENCE ADDRESS: East Los Angeles Station
RES. PHONE (AREA CODE): (323) 264-4151
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO. [redacted]
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE 05-21-2003 TIME ____

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
	OF						

RESIDENCE ADDRESS:
RES. PHONE (AREA CODE): ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO.
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE ____ TIME ____

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
	OF						

RESIDENCE ADDRESS:
RES. PHONE (AREA CODE): ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT:
CDL OR LASD EMPLOYEE NO.
BUS. PHONE (AREA CODE): ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE ____ TIME ____

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
PERSONNEL INVESTIGATION
(NARRATIVE)

On Wednesday, May 21, 2003, Sergeant Brian Morris and Sergeant Henry Reyes, of the Internal Affairs Bureau Shooting Response Team, went to the Bank of the West building, located at 6055 Washington Boulevard, Commerce, regarding an on-duty, deputy involved shooting. Lieutenant Greg Johnson, also of Internal Affairs Bureau, and Attorney Ben Jones, of the Office of Independent Review, also responded.

Investigators learned that several deputies from East Los Angeles Station went to the location in response to a call of a "forgery in progress." Some of the deputies entered the bank lobby and the suspect ran out. The suspect got into his vehicle, which was parked in the parking lot with a female passenger in it, and attempted to flee the parking lot. As the suspect tried to flee, he backed into a radio car, which had been stopped behind his vehicle, then proceeded forward, driving over the concrete parking blocks in front of his vehicle. As the suspect fled the parking lot, Deputy Steven Valesquez was standing in the path of his vehicle on the opposite side of the parking blocks. Deputy Valesquez reported that he thought he was going to be run over, so he fired two rounds from his duty Beretta at the vehicle. The suspect exited the parking lot and a vehicle pursuit ensued. After a short pursuit the suspect crashed his vehicle near Bandini Boulevard and the I-5 freeway, then fled on foot. A containment was established and the suspect was arrested a short distance from the crash site without further incident.

The female passenger, [redacted] never exited the vehicle. Apparently she was struck by either one of Deputy Velasquez's bullets, or by flying shattered glass from the driver's door window, which was struck by one of Deputy Velasquez's bullet. Her injuries were minor.

Detectives Rich Tomlin and Paul Fournier, from Sheriff's Homicide Bureau, were assigned as the criminal investigator on the case. Detective Tomlin's report is attached to this report as **Exhibit-B**.

> **I.A.B. Note:** The day following the incident (May 22, 2003), a forensic examination of the suspect's vehicle was conducted by Senior Criminalist, James Carroll, of Scientific Services Bureau. Mr. Carroll's report was incorporated into the Homicide Bureau's case file on page 78. Mr. Carroll's reports and the corresponding photographs have also been incorporated into this case as **Exhibit-A**.
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> Mr. Carroll determined that Deputy Velasquez's two bullets struck the suspect vehicle on the driver's side. One bullet struck the window of the driver's door, passed through the passenger compartment, grazing the steering wheel, then striking and penetrated the passenger's door panel.

The bullet fragments were recovered from the Passenger's door. The trajectory of this bullet was to the driver's side of the car, slightly from the front at an 85° right angle from the long axis of the vehicle and The second bullet struck the driver's door just below the door handle, penetrated the interior of the driver's door panel and passed through the passenger compartment. There was no evidence the bullet struck anything else. This bullet fragment was recovered from the suspect's left front pants pocket during booking. The evidence suggests the bullet simply came to rest in the suspect's left front pants pocket. The second bullet was fired from the rear to the front of the vehicle at a 55° angle from the long axis of the vehicle.

The specific trajectory of Deputy Velasquez's bullets was not known when Deputy Velasquez was interviewed by Homicide investigators. This information was not learned by investigators from Internal Affairs Bureau until the shooting review process began when the homicide case was forwarded to Internal Affairs Bureau on December 8, 2003.

All of the deputies involved in this incident were interviewed at East Los Angeles Station following the incident. The interviews were audio recorded.

Deputy Steve Velasquez was interviewed by Detectives Richard Tomlin and Paul Fournier, of Homicide Bureau. Deputy Velasquez's attorney, Helen Schwab, of the Law Offices of Green and Shinee, was also present. Deputy Velasquez was interviewed a second time by Sergeant Brian Morris and Sergeant Henry Reyes, of Internal Affairs Bureau, on January 7, 2003. Ms. Schwab also accompanied Deputy Velasquez during the second interview. Both interviews were audio recorded. Both interviews were also transcribed and are located within this case.

Deputy Velasquez said on the day of the incident he was working unit 29-Tom, with Deputy Jason Kincaid. He said they were at the Sheriff's Sub-Station located in the Citadel, along with other deputies, when a radio call of a "Forgery Now" at the Bank of the West, on Washington Boulevard was broadcast. He said at the time he was wearing a standard Sheriff's Class-B uniform.

Deputy Velasquez said although they were not assigned to the call, he and Deputy Kincaid decided to respond to the bank and assist the handling unit. He said he and the other deputies left the Sub-Station and respond to the bank. Deputy Velasquez said he was driving and Deputy Kincaid was the passenger. He said while en route to the bank, the response to the call was being coordinated over the radio. He said as they entered the parking lot of the bank, other units began driving toward the front. He said he and Deputy

Kincaid chose to take a position at the rear. He said he advised the other units of this over the radio. Deputy Velasquez said he positioned their radio car at the northeast corner of the bank. He said he and Deputy Kincaid exited the radio car and approached the rear doors of the bank.

Deputy Velasquez said he has been to this particular bank on numerous prior occasions and was familiar with it. He said because of prior robberies, the bank keeps the rear door lock to persons trying to enter the bank. However, the doors are not kept locked for persons within the bank who are exiting. He said he knew he would not be able to gain access to the bank through the back door, but knew he would be able to look through the glass doors and see what was happening in the bank. He said he looked through the doors and saw several deputy entering the bank from the front doors, which were parallel to the rear doors and on the other side of the building. Deputy Vasquez said during this time he diverted his attention to the parking lot and scanned it for possible additional suspects.

He said when he looked back into the bank, he saw a male running toward the front doors with at least one deputy chasing him. He said within moments he heard Deputy Kincaid telling him that the suspect was running from the bank. Deputy Velasquez said from his point of view through the doors it appeared as though the suspect exited the bank and ran eastbound. He said he ran to the corner of the bank building and saw the suspect running east through the parking lot. Deputy Velasquez said he started running across the parking lot at an angle so as to intercept the suspect. He said during this time it never occurred to him that the suspect may have been running to a waiting vehicle.

Deputy Velasquez said as he ran, his vision and attention darted between the suspect, his own footing, and potential obstacles in his path. Deputy Velasquez said as his attention fell back to the suspect, he saw him (the suspect) entering a parked vehicle and saw other deputies standing near the driver's door of the vehicle attempting to open the door and/or detain the suspect.

Deputy Velasquez said as he approached the vehicle, he saw it accelerate backwards and strike a radio car which was parked behind it. He said there was a deputy in the driver's seat of the radio car, but at time he did not know the identity of the deputy. Deputy Velasquez said when the suspect vehicle struck the radio car, he saw debris fly into the air and saw the radio car move. He said it was his impression that the impact was significant.

> **I.A.B. Note:** Notwithstanding Deputy Velasquez's impression of the crash, the evidence suggests the crash was minor. Photographs of the struck radio car are located in the Photographs secetion of this case. The photographs depict minor body damage.

Deputy Velasquez said he also saw the deputy who had been standing next to the suspect vehicle (Deputy Gomez) jumping out of the way. He said that time he could not discern it Deputy Gomez had been struck by the vehicle or was simply moving out of its way.

Deputy Velasquez said he continued running toward the vehicle. He said the vehicle suddenly lurched forward then accelerated forward and drove over the two concrete stopping blocks which were in front of the parking space. He said the vehicle proceeded forward and was driving directly toward him. He said during the entire time he had his duty weapon drawn. He said when he realized the suspect vehicle was heading directly toward him he raised his weapon and fired two rounds into the vehicle. He said either as he fired his weapon, or immediately after firing it, the suspect vehicle swerved to the right, away from him, and proceeded through the parking lot. He said when he fired he saw the driver's side front window shatter. Deputy Velasquez said at the moment he fired his weapon, he thought there was a "really good potential" of him getting run over by the suspect vehicle. In describing where he was standing in relation to the suspect vehicle when he fired his weapon, Deputy Velasquez said he was standing the middle of the driveway isle north of where the suspect vehicle was originally parked. He said he was directly in front of the suspect vehicle's left headlight. He said he estimated the distance was about 15 feet. He said he did not recall yelling anything at the suspect during this time, nor did he recall hearing anyone else yell anything.

Deputy Velasquez said he turned around and began to run back toward his radio car. He said he did not see how the suspect exited parking lot. He said upon turning around, Deputy Kincaid was approaching him in their radio car. He said he got in the front passenger's seat of the radio car and he and Deputy Kincaid began driving across the parking lot. He said during this time he heard a radio broadcast from another unit stating they were in pursuit of the suspect vehicle southbound on the I-5 freeway. He said he and Deputy Kincaid exited the parking lot onto Washington Boulevard and entered the southbound freeway on-ramp. He said after doing this, here heard an additional radio broadcast stating that the suspect vehicle had crashed on the off-ramp of Bandini Boulevard.

> **I.A.B. Note:** Throughout this case several of the interviewed personnel comment on the suspect vehicle exiting the freeway. Some of these individuals refer to the exit as the Bandini Boulevard exit and others refer to it as the Garfield Avenue exit. In reality this it the same freeway off-ramp. The freeway exit is marked as "Bandini Blvd / Garfield Ave."

Deputy Velasquez said Deputy Kincaid was not able to maneuver across the lanes of traffic in order to exited the Bandini Boulevard exit. He said as they crossed Bandini Boulevard

he saw a cloud of dust or smoke, but did not see the crashed vehicle. He said Deputy Kincaid was able to pull car to the right shoulder of the freeway to a position where they could down the Bandini Boulevard on-ramp. He said once they did that, he noticed the suspect vehicle had collided into a telephone pole and its front end was hanging on the telephone pole's guide wire. He said the vehicle appeared to be vacant.

Deputy Velasquez said he heard Deputy Verdugo broadcasting that he (Verdugo) was in foot pursuit of the suspect southbound through buildings. Deputy Velasquez said he and Deputy Kincaid drove east Bandini Boulevard to a business he was familiar with which had a very long driveway and hopefully would allow them access to where the suspect was running. He said as the incident unfolded additional radio traffic was broadcast stating that the suspect was heading west, away from him. He said ultimately they took a position of containment. He said within a short period of time he heard a radio broadcast which stated the suspect was in custody at Staples Office Supply store.

> **I.A.B. Note:** The Staples office Supply store is situated on the northeast corner of Garfield Avenue and Bandini Boulevard, which is a very short distance from the crash site. Refer to the pictures in the Photographs section of this case.

During Deputy Velasquez's interview with Homicide investigators the issue of the trajectory of his bullets was not broached.

Deputy Velasquez was interviewed a by Sergeant Brian Morris and Henry Reyes, of Internal Affairs bureau, on January 7, 2004.

During the second interview Deputy Velasquez was shown the photographs of the trajectory of his bullets and told of Mr. Carroll's report, which contradicted his statement that the suspect vehicle was driving "directly toward him" when he shot at it. Deputy Velasquez said it was an emotional event. He said when he fired at the suspect vehicle, he was firing at the windshield. He said his first round struck the driver's door window and shattered it. He said when he realized the vehicle has passed him and the threat was gone he stopped firing. He said he presumed he fired at the vehicle twice because of his weapons traing which has taught him to "double tap" his weapon.

> **I.A.B. Note:** "Double tap" is a term used within the Sheriff's Department to reference the concept of firing in two round bursts.

Both of Deputy Velasquez's interviews have been transcribed and are located within this case.

Deputy Jason Kincaid was interviewed by Detectives Jeff Leslie and Phillip Martinez, of Homicide Bureau, and Sergeant Brian Morris, of Internal Affairs Bureau.

Deputy Kincaid said he had been a deputy for approximately seven years and had been assigned to East Los Angeles Station for approximately two years. Deputy Kincaid said at the time of the incident he was working in the city of Commerce, in a two-man commercial traffic unit (29-Tom, Day Shift) with Deputy Steve Velasquez. Deputy Kincaid said he and Deputy Velasquez had worked together for approximately three weeks. He said he was being trained in Commercial Traffic Enforcement by Deputy Velasquez.

Deputy Kincaid said he and Deputy Velasquez responded to the call of a "forgery in progress" at the bank from the Commerce Sub-Station, which is located int the Citadel complex. He said Deputy Velasquez was driving. He said it took them about three minutes to arrive at the call. He said the call provided a vague suspect description of a male adult wearing blue clothing. Deputy Kincaid said they arrived at the location from the east and entered the parking lot through the eastern most driveway. He said they arrived directly behind two or three other radio cars. He said those deputies advised they were going to take a position at the front of the building, so he and Deputy Velasquez drove to the rear and parked at the northeast corner of the building. He said they exited their car and he took a position at the western side of the back doors and Deputy Velasquez took a position at the eastern side. Deputy Kincaid said he looked into the bank building and saw deputies entering the bank from the front. He said saw a male suddenly run out of the bank through the front doors and the deputies who entered the front started chasing him.

Deputy Kincaid said he told Deputy Velasquez what he saw and Deputy Velasquez turned and started running across the parking lot in a southeasterly direction. Deputy Kincaid said he had to negotiate around some trees and bushes to follow his partner. He said once he extricated himself from the obstacles, he started to run in the same direction as Deputy Velasquez. He said he saw the suspect running past several cars and he thought the suspect was running to the street. He said since he was still near their radio car, he got in the car and started driving in a southeasterly direction toward the suspect and the other deputies. He said during this time he saw the suspect enter a compact gray or silver vehicle, which was parked in a parking stall three to five stalls from the bank. He said the vehicle was facing north. He said as he started to drive toward the front of the parking lot, he heard a loud crash. He said the sound was that of metal on mental, which he associated with two vehicles colliding. He said he looked and saw the silver car backing out of a parking space in a southerly direction. He said he saw the car stop and heard the engine rev up, then saw the car start to move forward, drive over the concrete parking stops and continue forward toward Deputy Velasquez, who was standing in the parking lot in front of the suspect's car. Deputy Kincaid said because of the angle in which he was

driving he could not specifically tell exactly where Deputy Velasquez was standing in relation to the suspect vehicle, except to say he was in the general area in front of it. He said the car was traveling directly at Deputy Velasquez and he saw Deputy Velasquez fire two or three rounds at the car. He said the car made a hard right turn, drove through the parking lot, and exited, via the easterly most driveway. Deputy Kincaid said as this event was unfolding there were several other deputies in the general area of the vehicle. However, he said he could not specifically say who he saw were or what they were doing. He described it as a "blur of activity."

Deputy Kincaid said as the suspect vehicle exited the parking lot, there was one radio car chasing it. He said he stopped his radio car, Deputy Velasquez got in the car, and they began chasing the suspect vehicle as well. He said he exited the parking lot and entered the southbound Interstate-5 freeway, following the path of the suspect vehicle and the initial radio car which was chasing it. Deputy Kincaid said during this time he activated his full emergency lights and siren. Deputy Kincaid said at that time he was in pursuit and was the number two vehicle. He said upon entering the freeway he initially did not see the suspect vehicle, but did see the first radio car. He said within moments he saw the suspect vehicle quickly traverse several lanes of the freeway, from left to right, and exit the very next freeway off-ramp (which is Bandini Boulevard). Deputy Kincaid said before he even reached the Bandini Boulevard exit, the initial radio car which had been broadcasting information, advised that the suspect vehicle crashed.

Deputy Kincaid said as he exited the freeway one of the deputies from the first radio car was broadcasting information that the suspect had exited the crashed vehicle and was running in a southerly direction. Deputy Kincaid said as he neared the crashed car he noticed there was a female passenger in the front seat. He said this was when he became aware there was a second individual in the car. Deputy Kincaid said he and Deputy Velasquez drove to an area east of the crashed vehicle and took up a position of containment. He said as updated information was broadcast regarding the suspect's possible location, they moved their location accordingly. Deputy Kincaid said within a short time he and Deputy Velasquez were directed to return to the location of the shooting to assist in securing it.

Deputy Kincaid said he was not present when the suspect was apprehended.

Sergeant Ruben Martinez was interviewed by Detectives Jeff Leslie and Phillip Martinez, of Homicide Bureau, and Sergeant Brian Morris, of Internal Affairs Bureau.

Sergeant Martinez said he has been a deputy sheriff for 23 years and has been a sergeant for approximately 2 ½ years. He said his sole assignment as a sergeant has been East Los Angeles Sheriff's Station.

Sergeant Martinez said on the date of this incident he was working unit 26-Boy, assigned to the city of Cudahy, with Deputy Thomas Arellano. He said he was wearing a Sheriff's Class-C uniform (green pants and a green polo shirt with stenciled Sheriff's emblems).

Sergeant Martinez said he and Deputy Arellano responded to the Bank of the West regarding the "forgery in progress" call. He said they were not assigned to the call, but chose to respond because they were traversing the city of Commerce, en route to the city of Cudahy.

Sergeant Martinez said upon his arrival at the bank, he was being followed by two additional units. He said he entered the parking lot through the second driveway and parked directly in front of the bank, just east of the front door. He said the response to the call was coordinated over their radio and to the best of his knowledge all units arrived approximately at the same time. Sergeant Martinez said as he and the deputies from the other two units exited their vehicles, another deputy advised over the radio they had taken up a position at the rear of the bank. He said he did not know the identity of the other unit. ***(I.A.B. Note:** Deputies Kincaid and Velasquez were the only deputies to go to the rear of the bank.)*

Sergeant Martinez said he and the three deputies at the front, entered the bank. He identified the deputies as his partner Deputy Thomas Arellano, Deputy Rene Vasquez, and Deputy Rene Gomez. He said the call provided a description of the suspect as being a male Hispanic wearing a blue shirt and blue pants. He said as they entered the bank he saw two individuals matching that description standing at two different teller windows. He said as he and the other deputies walked toward the first individual, the [redacted] who was a female about 40 years old, also began walking toward the same individual. He said as she did this, she put up her hand, palm out, in what he inferred as a "wait here" motion and said something to the effect of, "hold on" or "wait here." He said he and the other deputies stopped and the woman approached and contacted the first individual and said, "Come with me." He said the woman then walked that individual past them. Sergeant Martinez said based on the conduct of the [redacted] he assumed the first individual was not the suspect and the [redacted] was simply escorting the uninvolved man away from the situation. He said his opinion was bolstered by the fact that the man did not seem alarmed were concerned by the presence of the deputies.

Sergeant Martinez said he then focused his attention on the second individual and began walking toward him. However, he said within moments of the [redacted] escorting the first individual past them, he heard a sound of rustling and of running footsteps from behind him. He said he turned and saw the first individual running toward the front door, which was the same door he had entered moments earlier. He said he and the three

deputies began chasing the suspect, who ran out of the bank, down the steps, and east toward the parking lot. He said the suspect ran approximately 30 feet east across the parking lot to a silver Lexus, which was parked in the parking lot. Sergeant Martinez said the vehicle was parked in the first row in the parking lot, in the third or fourth stall east of the bank, facing north.

Sergeant Martinez said the suspect entered the driver's door of the Lexus. He said at that time he realized there was a second individual in the front passenger's seat of vehicle. However, he said at that time he did not know if the passenger was a man or woman. He said the parking lot was sparsely occupied with other vehicles, but he could not specifically say where they were parked. However, he did recall there was at least one vehicle parked directly to the left of the suspect vehicle. He said the suspect started the vehicle and attempted drive forward. He said there was no vehicle parked in the parking stall directly in front of the suspect vehicle. He said as the suspect vehicle pulled forward its tires struck the concrete parking blocks and stopped the vehicle. Sergeant Martinez said at that time an additional unit arrived which is being driven by Deputy Verdugo. He said Deputy Verdugo stopped his vehicle in the parking lot facing eastbound, south of the parking stall in which the suspect vehicle was parked. He said he (Martinez) was also standing south of the suspect vehicle and now Deputies Verdugo's vehicle was between him (Martinez) and the suspect vehicle.

Sergeant Martinez said during this time he and the other deputies began yelling at the suspect, "Get out of the car! Stop! Get out of the car!" He said the suspect put the vehicle in reverse and pulled out of the parking stall backwards, striking Deputy Verdugo's radio car on the left front fender area. He said when that happened Deputy Verdugo was still seated behind the wheel of his car. Sergeant Martinez said prior to the suspect backing out of the stall, he heard the engine reving, but he said he could not say for certain if he felt the striking of Deputy Verdugo's car was an intentional act or an accident. He said the impact did not seem to be with a great amount of force. Sergeant Martinez said after the suspect vehicle struck the radio car, it quickly drove forward again, this time striking and driving over the concrete parking blocks.

Sergeant Martinez said during this same time he saw Deputy Velasquez standing in the parking lot north of the suspect vehicle. He said when he first saw Deputy Velasquez he (Velasquez) was not directly in front of the suspect vehicle, but was offset toward the driver's side of the vehicle. He said he saw Deputy Velasquez draw his service weapon and point it toward the suspect vehicle and yell, "Turn off the car! Get out of the car!" He said during this time the windows of the suspect's vehicle were rolled up, however he said it was his opinion the suspect could hear Deputy Velasquez.

Sergeant Martinez said during the time Deputy Velasquez was pointing his weapon at the suspect vehicle and yelling, the suspect drove the vehicle forward, striking the first concrete parking block, then the second concrete parking block, and proceeded forward directly toward Deputy Velasquez. He said he saw Deputy Velasquez attempt to jump out of the path of vehicle and fire two rounds from his duty weapon at the suspect vehicle as it was in motion and driving toward him. He said Deputy Velasquez was approximately three to four feet from the suspect vehicle when he fired his weapon.

Sergeant Martinez said the vehicle continued north for about 15 feet, then turned right and proceeded east across the parking lot. He said the suspect vehicle exited the parking lot onto Washington Boulevard through the easterlymost parking lot entrance. He said the suspect vehicle turned left on Washington Boulevard for approximately 50 or 60 yards, then entered the southbound I-5 freeway.

Sergeant Martinez said he and Deputy Arellano ran back to their radio car and began chasing the suspect vehicle. He said by the time they got to their car and joined in the chase, there were three radio cars in front of them. He said they were the last unit involved in the pursuit. Sergeant Martinez said during this time he did not have a visual of the suspect vehicle. He said as they proceeded south on the freeway, he and Deputy Arellano past the Bandini Boulevard, before they realized the suspect had exited the freeway. He said as they passed Bandini Boulevard, he saw that the suspect vehicle had crashed and was resting on a telephone pole guide wire with its front-end hanging on the wire in the air and its rear end on the ground. He said they drove past Bandini Boulevard and exited the freeway by using the Bandini Boulevard on-ramp. He said on his arrival at the crashed suspect vehicle, the suspect was gone, but he saw a female seated in front passenger's seat. He said at that point he knew other deputies were in foot pursuit of the suspect, so he detained the female. He said he noted the female had a scratch on her right shoulder. He said he asked her if she was okay, and she said she was. He said as a precautionary measure he requested fire paramedics. He said as he observed the paramedics treat the woman he heard her tell them she was okay, as well.

Sergeant Martinez said he and Deputy Arellano remained a scene of the collision and he was not present when the primary suspect was captured.

Deputy Thomas Arellano was interviewed by [redacted] and Steve Katz, of Homicide Bureau. Deputy Arellano's attorney, Helen Schwab, of the offices of Green and Shinee, was also present.

Deputy Arellano said he has been a Deputy Sheriff for approximately 12 years. He said on the day of this incident he was working with Sergeant Ruben Martinez in unit 26-B.

Deputy Arellano said his assignment is the City of Cudahy as a "Special Problems Deputy." He said at the time of the incident he was wearing a Sheriff's Class-C uniform and was driving a marked sheriff's radio car. Deputy Arellano said his normal assignment is working alone. However, he said he was working with his supervisor, Sergeant Martinez, on that day as a matter of happenstance.

Deputy Arellano said he and Sergeant Martinez were traversing the City of Commerce en route to the City of Cudahy, when a radio call of a "Forgery Now" was broadcast. He said he and Sergeant Martinez responded to the call. He said the call described the suspect as a male wearing dark blue pants and a dark blue shirt, who was inside the bank. Deputy Arellano said upon their arrival at the bank an updated radio broadcast advised that the suspect was still in the bank at the teller counter.

Deputy Arellano said several units arrived at the bank and they parked their vehicles in front of the bank, but east of the front doors. He said during this time he heard Deputy Steve Velasquez on the radio stating that he was also at the bank and would cover the rear doors. Deputy Arellano said he and Sergeant Martinez enter the front of the bank along with Deputy's Gomez and Vasquez. He said he and Sergeant Martinez were in front and Deputies Gomez and Vasquez were behind them. He said once they were in the bank he saw two individuals standing at separate teller windows. He said both individuals were males and both generally matched the description of the suspect as broadcast in the call. He said he saw no other patrons in the bank. Deputy Arellano said the male who was at the teller window closest to them was wearing blue jeans and a light blue shirt. He said the male who was at the farthest window was wearing blue pants and a blue plaid shirt. Deputy Arellano said he thought to himself, "It's got to be one of these guys." He said he started to approached the male who was closest to them. He said as he did this a female bank employee walked in front of him, put up her hand in a "wait" motion and said, "I'll be right with you." He said the woman then walked directly toward the man who was at the closest teller window. He said once she approached the man he heard her say, "I need to speak to you." She then began to escort the man away from the teller window. Deputy Arellano said he figured the woman was escorting an uninvolved patron out of the situation, so he focused on the other individual at a farther teller window. He said as the woman and the first man walked past him, the man broke into a run toward the front door. Deputy Arellano said when this happens he realized the first man was the actual suspect and the conduct of the bank employee caused him to focus on the second man, who was not involved.

Deputy Arellano said he and the other three deputies began chasing the man. He said he initiated a broadcast over his radio, stating that the forgery suspect was running from the bank. Deputy Arellano said he was the last deputy to exit the bank. He said by the time he exited the bank, he looked toward the east and saw a silver car backing out of a parking stall. He said he saw the car strike a radio car, then start moving forward. He said the

other deputies were in the general area. He specifically said Deputy Gomez was standing between the suspect vehicle and the car that was parked next to it.

I.A.B. Note: Deputy Arellano's description of the location of the suspect vehicle and the radio car was consistent with the information provided by the other deputies and by the physical evidence.

Deputy Arellano said he saw that there was a deputy in the radio car which was struck. He said at the time he did not know the identity of the deputy, but later learned that it was Deputy Verdugo. Deputy Arellano said during the entire time he was still near the front doors of the bank. He said he may have actually walked down the steps to the parking lot, but he was not sure. Nevertheless, he was a considerable distance from the activity which was occurring in the parking lot.

Deputy Arellano said as the suspect vehicle began moving forward, he saw Deputy Velasquez approaching the situation from the north. He said Deputy Velasquez was approximately 8 feet in front of the suspect vehicle. He said Deputy Velasquez had his duty weapon drawn and was yelling, "Stop! Stop!" as the suspect vehicle move forward. He said he then heard two shots. He said the suspect vehicle drove through the parking lot and exited onto Washington Boulevard, via the farthest east driveway. Deputy Arellano said during this time he was still on the radio broadcasting information. He said he saw several radio car's exit the bank parking lot and begin pursuing the suspect vehicle as it entered the southbound I-5 freeway.

Deputy Arellano said he and Sergeant Martinez got in their radio car and follow the other cars. He said they entered the freeway and exited at the very next exit, which was the Bandini Avenue exit. He said upon exiting the freeway they saw the suspect vehicle had crashed and was resting with its front end on a telephone pole guide wire. He said he did not see the driver of the suspect vehicle, but there was a woman in the passenger seat. He said he and Sergeant Martinez detained the woman passenger. He said she did not appear injured to him, except for some scratched on her right shoulder. He said the scratches did not appear serious. He analogized them to a scratch a person might receive from a rosebush. Deputy Arellano said within ten minutes of his arrival at the crash site, he learned the suspect had been captured in the area.

Deputy Eduardo Verdugo was interviewed by Detectives Jeff Leslie and Phillip Martinez, of Homicide Bureau, and Sergeant Brian Morris, of Internal Affairs Bureau. Deputy Verdugo's attorney, Mitch Kander, of the offices of Green and Shinee, was also present.

Deputy Verdugo said he became a deputy sheriff when the Compton Police Department merged with the Sheriff's Department in July of 2000. [redacted]

Deputy Verdugo said on the day of this incident he was working unit 28, in the city of Commerce. He said he was working a one-man unit. He said he went to the Bank of the West in response to a call of a "forgery in progress." He said he was the handling unit on the call.

Deputy Verdugo said per his radio coordination of the call, upon his arrival other units were already at the bank. He said he pulled in the parking lot and stopped facing west, near the other radio cars at the front of the bank. He said he saw a male Hispanic, wearing a light blue shirt, running from the front of the bank with three or four deputies chasing him. He said the suspect ran past the passenger's side of his vehicle eastbound. He said he put his car in reverse and backed eastbound toward where the suspect was running. He said he saw the suspect get into a gray Lexus which was parked in the parking lot, 4 or 5 parking stalls east of the bank door. Deputy Verdugo said he backed up his car and brought it to a stop about five feet behind the suspect vehicle in an effort to "block him in." He said it was his intention to "pin him in so he could not leave." He said he saw several other deputies around the suspect vehicle. He said he heard the suspect start his vehicle and the suspect vehicle backed up striking his radio car in the right front fender. He said when the suspect's vehicle struck his vehicle, his vehicle was stopped with the transmission in "park." He said he was in the process of exiting his car when it was struck. Deputy Verdugo said after the suspect struck his car, he heard the suspect vehicle's engine rev and the vehicle pulled forward. He said at that time he saw three deputies positioned to the driver's side of the suspect vehicle. He said the suspect vehicle pulled forward and drove over the two concrete parking blocks which were in front of the parking space. He said he then saw the vehicle exit the parking lot through the easterly most parking lot entrance. He said he exited the parking lot and followed the suspect vehicle as it entered the southbound I-5 freeway. Deputy Verdugo said he was the lead vehicle in the pursuit. He said he initiated a pursuit broadcast.

Deputy Verdugo said he did not see anything that happened involving Deputy Velasquez or the shooting. He said did not know a shooting occurred until the entire incident was over.

Deputy Verdugo said the suspect vehicle exited Bandini Boulevard, which was only one off-ramp south of where they entered the freeway. He said as he exited the freeway he saw a cloud of dirt and as he neared it, he saw that the suspect vehicle had crashed into a telephone pole guide wire and saw the suspect running through the adjacent parking lot. Deputy Verdugo said he exited his car and chased the suspect on foot. He said he broadcast the foot pursuit over his radio. He said the suspect jumped over a fence and out of his view. He said he returned to the crash site and established a containment of the area. He said the suspect was subsequently captured, but he (Verdugo) was not present when that occurred.

Deputy Rene Gomez was interviewed by Detectives Jeff Leslie and Phillip Martinez, of Homicide Bureau, and Sergeant Brian Morris, of Internal Affairs Bureau. Deputy Verdugo's attorney, Mitch Kander, of the offices of Green and Shinee, was also present.

Deputy Gomez said he became a deputy sheriff when the Los Angeles County Marshall's Office merged with the Sheriff's Department in June of 1994. [redacted] He said upon the merge, he transferred to East Los Angeles Station and has worked there ever since.

He said on the day of this incident he was working unit 27 (a one-man unit) in the city of Commerce and was wearing a full standard Sheriff's Class-A uniform.

Deputy Gomez said he went to the Bank of the West in response to an assigned assist on a call of a "forgery now." He said Deputy Verdugo was the handling unit and he (Verdugo) coordinated the call over the radio. Deputy Gomez said he and other units arrived at location prior to Deputy Verdugo. Deputy Gomez said as he and several other units arrived at the bank, Unit 29-T (Deputies Kincaid and Velasquez) advised that they would take a position at the rear of the location. He said he and two other units went to the front.

Deputy Gomez said the call provided the description of the suspect as being a male wearing dark clothing. He said as he entered the bank through the front door, the call was updated reporting that the suspect was at a teller window. Deputy Gomez said upon entering the bank he saw two males at separate teller windows. He said one of the males was wearing dark pants and a light-colored shirt and the other male was wearing dark-colored pants and a dark-colored shirt.

Deputy Gomez described how the [redacted] approached one of the males and appeared to be escorting him past the deputies. Deputy Gomez's account of this was virtually the same as that given by Sergeant Martinez.

Deputy Gomez said after the male, who was walking with the [redacted] past them, he (the male) began running toward front door. Deputy Gomez said the male exited the bank, ran into the parking lot, and turned left, running eastbound. Deputy Gomez said he was chasing the man, about 15 feet behind him. He said the suspect jumped and slid over the trunk of a vehicle in what he (Gomez) described as a "Starsky & Hutch jump." He said the suspect entered a silver vehicle which was parked directly next to the vehicle he jumped over. Deputy Gomez said he ran to the vehicle and tried to open the driver's door, however by that time the suspect had started the vehicle, revved the engine, put the car in reverse, and was backing out of the parking stall.

Deputy Gomez said as this was occurring, Deputy Verdugo had arrived at the location and pulled his radio car directly behind the suspect's vehicle, preventing the suspect from fleeing by backing out. Deputy Gomez said the suspect then put the car and drive and rapidly pulled forward. He said during this time he was still standing in the same location he was when he tried to open the driver's door.

Deputy Gomez said the suspect vehicle was coming toward him. He said he withdrew his service weapon pointed at the vehicle and "tracked" the vehicle as it passed him and continued forward. He said during this time he saw Deputy Velasquez in front of the vehicle and saw Deputy Velasquez fire two rounds of the vehicle. Deputy Gomez said from his position Deputy Velasquez was initially not directly in front of the vehicle, but the vehicle veered toward him. Deputy Gomez said it was his impression the suspect intentionally redirected the vehicle toward Deputy Velasquez. Deputy Gomez said it was at that time when Deputy Velasquez fired his weapon. Deputy Gomez said he was concerned for Deputy Velasquez' safety. He said he considered firing at the suspect vehicle, but was concerned that Deputy Velasquez was in his line of fire.

Deputy Gomez said as Deputy Velasquez fired, the vehicle turned right, drove through the parking lot in an easterly direction, and exited on Washington Boulevard. Deputy Gomez said he ran to his vehicle, got in it, and began chasing the suspect vehicle. Deputy Gomez said he thought he was the third vehicle in the pursuit. He said the suspect vehicle crossed Washington Boulevard and enter the southbound I-5 freeway. Deputy Gomez said he was actually never actively chasing the suspect vehicle because he had lost sight of it. He said as he approached Bandini Boulevard, he heard a broadcast that the suspect vehicle had crashed. He said when he reached the Bandini Boulevard exit he saw the suspect vehicle with its front end hanging on the guide-wire of a telephone pole. He said he heard Deputy Verdugo broadcasting that he (Verdugo) was in foot pursuit of the suspect.

Deputy Gomez said he was familiar with the area and drove to an area south of the collision site because he believe that's where the suspect would run. Deputy Gomez said the suspect was apprehended in the parking lot of Staples Office Supply store, prior to reaching his location. He said he was not present when the suspect was captured.

Deputy Rene Vasquez was interviewed by [redacted] and Steve Katz, of Homicide Bureau. Deputy Verdugo's attorney, Helen Schwab, of the offices of Green and Shinee, was also present.

Deputy Vasquez said he has been a Deputy Sheriff for approximately 12 years. Deputy Vasquez said on the day of this incident he was working unit 29, in the City of Commerce. He said he was wearing a full Sheriff's Class-A uniform.

Deputy Vasquez said he was at the Sheriff's Sub-Station located in the Citadel, with unit 27 (Deputy Rene Gomez) and Unit 29-Tom (Deputies Jason Kincaid and Steve Velasquez). He said while there, they received a radio call of a "Forgery Now" at the Bank of the West, on Washington Boulevard. He said the call was assigned to unit 28, Deputy Verdugo.

Deputy Vasquez he and several other units arrived at the bank simultaneously. He said he parked his radio car on the east side of the bank building facing north. He said unit 29-Tom, Deputies Kincaid in Velasquez, went to the rear of the bank. He said he and three other deputies entered the front of the bank (himself, Deputies Gomez and Arellano, and Sergeant Martinez). He said the call identified the suspect as a male white wearing dark blue pants and a dark blue shirt, who was standing at the teller counter. He said upon entering the bank, he saw two males at two separate teller windows. Both males were wearing blue. The male closest to them was wearing a light blue shirt and the male farthest away was wearing a dark blue shirt. He said the [redacted] of the bank approached the man who was closest to them and began to escort him away from the teller window and toward an office which was near the front door. Deputy Vasquez said because of the conduct of the [redacted] with respect to the closest male and the fact that the farther male more closely matched the description given in the call, his attention was drawn to that man. Deputy Vasquez said as the [redacted] and the man walked past them, the man ran out front door. He said that time the [redacted] began yelling, "That's him! That's him!" Deputy Vasquez said at that time he realized they had focused on the wrong individual, so the turnaround and began chasing the man out front door.

Deputy Vasquez said as he exited the bank, he saw the male running east through the parking lot. He said the suspect ran to a silver Lexus which was parked in the third parking space east of the bank, facing north. He said there was a female in front passenger's seat of the Lexus. He said the suspect got into the driver see the vehicle, although Deputy Gomez was close behind him. He said Deputy Gomez was able to grab hold of the door latch, but unable to open the door. Deputy Vasquez said Deputy Verdugo was just driving into the parking lot of the bank and he (Vasquez) yelled at Deputy Verdugo to block the vehicle into the parking space with his radio car. He said Deputy Verdugo drove his radio car behind the Lexus and stopped. Deputy Vasquez said he heard the suspect start the car and rev the engine. He said the suspect vehicle went in reverse and rammed the right front fender of Deputy Verdugo's radio car. He said the suspect vehicle then drove forward jumping to concrete stopping blocks between the parking spaces. Deputy Vasquez said that as the suspect vehicle drove forward, he saw Deputy Velasquez standing to the north of the vehicle. He said Deputy Velasquez was slightly out of the vehicle's path to the left. However, he said the vehicle proceeded forward it turned toward Deputy Velasquez and was driving directly toward him. He said he saw Deputy Velasquez fire two rounds from his duty weapon into the driver's door of the vehicle. He said he saw the driver's door

window shatter, at which point the vehicle made a right turn and drove east through the parking lot. Deputy Vasquez said that if the suspect vehicle had continued straight, it would have struck Deputy Velasquez.

Deputy Vasquez said he ran back to his radio car, got into it, and began pursuing the suspect vehicle. He said by the time he actually got his vehicle in motion, the suspect vehicle had crossed Washington Boulevard and was entering the southbound I-5 freeway, being pursued by Deputy Verdugo. Deputy Vasquez said at that point he did not recall seeing other radio cars in the pursuit. Deputy Vasquez said by the time he got to the top of the freeway on-ramp, he did not see the suspect vehicle.

Deputy Vasquez said as he approached the Bandini Boulevard exit, he heard radio traffic stating that the suspect had crashed at Bandini Boulevard. He said he didn't see the crash on the freeway and did not know the pursuit had exited the Bandini Boulevard exit. He said he continued south on the freeway past the Bandini Boulevard exit. He said after passing Bandini Boulevard he realized the vehicle had exited the freeway. He said he pulled to the right shoulder and backed his radio car down the Bandini Boulevard on-ramp and ended up the collision site. He said there was further radio traffic stating that the suspect had fled on foot through local businesses. Deputy Vasquez said he drove past the crash site in an effort to help contain and or locate the suspect. He said he started setting up a containment of the area, via his radio. He said within a minute, radio traffic was broadcast stating the suspect had been seen in the parking lot of the Staples Office Supply store, which is located on the northeast corner of Garfield Avenue and Bandini Boulevard. He said he drove to the Staples Office Supply store and entered the parking lot behind Sergeant Strain and Deputy Armes. He said when he turned the corner of parking lot, the suspect was being detained in a "prone position" on the ground by Deputy Armes. He said he exit his radio car and held the suspect at gunpoint while Deputy Armes handcuffed the suspect and took him into custody.

During the rest of deputy Vasquez's interview he explained how he assisted in transporting witnesses and providing general investigative assistance to the handling detectives.

[redacted] was the passenger in suspect vehicle. She was interviewed at East Los Angeles Station on the day of the incident. Ms. [redacted] speaks only Spanish and the interview was conducted through the translation of Detective Ignacio Lugo, of East Los Angeles Station.

Ms. [redacted] said she has known the suspect (John Schneider) for five months and the two have been [redacted] for the last three months. She said at about 9:40 AM, on the day in the incident, Suspect Schneider telephoned her and said he was coming to her home. She

said he arrived in a silver Lexus, which he has driven for the past two months. She said they stayed at her home for the remainder of the morning. Ms. [redacted] said as the day progressed Schneider told her he needed to go to the bank, but did not tell her why. Ms. [redacted] said she went with Schneider to the Bank of the West on Washington Boulevard in the city of Commerce. She said she remained in the car while Schneider went into the bank. Ms. [redacted] said after about 10 minutes, she noticed deputies driving into the parking lot of the bank and walking into the bank. She said at that point Schneider was still in the bank. Ms. [redacted] said shortly after the deputies entering the bank, she saw Schneider ran out of the bank and toward his car. She said deputies were walking after him, pointing their guns in his direction. She said Schneider opened the driver's door of the car and as he was doing so she heard a gunshot. She said she did not know where the gunshot came from and did not know what direction the bullet went. She said Schneider quickly got into the car started the engine. She said Schneider began driving forward over the parking blocks. She said she was looking at him when she heard a second gunshot and a driver's side window shattered. She said she ducked down in the seat to avoid being shot. She said at that time she heard a third gunshot. She said Schneider drove out of the parking lot and later crashed on the freeway exit ramp. She said after he crashed, Schneider got out of the car and ran. She said she remained in the car and was detained by deputies.

Ms. [redacted] said she did not recall Schneider ever striking a police car with his vehicle at any time during the incident. She also said she did not see any deputies fire their weapons.

Suspect John Schneider was interviewed on May 21, 2003, by Detectives Richard Tomlin and Paul Fournier. The interview was audio recorded and summarized as follows:

Suspect Schneider said he went to the bank to withdraw some money. He said there was confusion with the amount of money available to him through his account. He said the teller told him he did not have any funds available. He said he had a discussion with the teller regarding the fact that some of his funds should be available.

During his interview, Schneider provided two versions of what happened next. First he said while waiting for his money he saw some deputies entering a bank. He said he left the teller window and started walking toward the deputies. He said as he neared them, he thought one of them lunged at him, so he instinctively ran. In a variation of that, he said when he was told he had no funds available he left the teller window and as he was nearing the door of the bank to exit, the deputies entering the bank and it was at that point when one of them lunged at him. Suspect Schneider was unable to describe the deputy who lunged at him. He was not able to describe what kind of uniform the deputy had on. In explaining his reasons for running he said he thought he may have had a traffic warrant,

was driving his [redacted] car, did not have a license, and was generally paranoid of the police. He said he ran out the door of the bank, turned left, and ran toward his car. He said during this time he heard one of the deputies yelling at him to stop. However, he said he had a "good jump" on them so he did not. He said he was nervous and scared, so he got in his car, but did not need to start it. He said he had left it running with the air conditioning on. He said the windows were up and the music was also on. He said as he started to drive forward, he drove over the concrete parking blocks which were in front of his vehicle. He said at that time a deputy who was to the side of his car shot at him twice. He said the first shot was almost immediately upon driving forward. He said his front tire had jumped the concrete block, but his rear tires had not. He said this shot shattered the driver's side door window. He said he heard the second shot as he continued forward after both wheels had jumped the concrete block. He said it "scared the hell out of him." He said he never thought a deputy would shoot at him because he (Schneider) did not have a weapon. During his interview there was discussion relating to the specific location of the deputy who shot at him. Schneider specifically said the deputy was on the driver's side of his vehicle and not in front of it. He said he saw the deputy shot and saw the rounds being fired. He said there was no other deputy on the left side of his car.

Schneider said when the shots were fired he accelerated faster, and exited the parking lot. He said he entered the I-5 freeway southbound. He said as he fled the scene there was one police car behind him. He said he exited the freeway at the first off-ramp. He said he was going very fast and lost control of his vehicle. He said his vehicle jumped the curb and came to rest, at which point he exited the vehicle and ran. He said after running a short distance he became tired and winded. He said a radio car drove near him and he surrendered.

During the interview of Schneider, there was a great deal of discussion about him driving backwards and striking a radio car with his car. Schneider said he did not recall that happening. He said if there was evidence which suggests he did, then he must have. However he did not recall doing it.

The interview of Suspect Schneider was quite lengthy. Subsequent to describing the physical events of the incident, as detailed above, the interviewed dealt with Suspect Schneider's alleged criminal activity in relation to the forgery. A summary of that information can be found on pages 41 for 43 of the Homicide Bureau Reports, **Exhibit-B**.

STATEMENTS RELATING ONLY TO THE SHOOTING:

Because this incident had several elements, the following information is specific to what each person said only about the shooting itself. The following information has been taken directly out of the above summaries:

Deputy Steve Velasquez said the vehicle suddenly lurched forward then accelerated forward and drove over the two concrete stopping blocks which were in front of the parking space. He said the vehicle proceeded forward and was driving directly toward him. He said during the entire time he had his duty weapon drawn. He said when he realized the suspect vehicle was heading directly toward him, he raised his weapon and fired two rounds into the vehicle. He said either as he fired his weapon, or immediately after firing it, the suspect vehicle swerved to the right, away from him, and proceeded through the parking lot. He said when he fired, he saw the driver's side front window shatter. Deputy Velasquez said at the moment he fired his weapon, he thought there was a "really good potential" of him getting run over by the suspect vehicle.

Deputy Jason Kincaid said he saw the suspect vehicle stop and heard the engine rev up, then saw the car start to move forward, drive over the concrete parking stops, and continue forward toward Deputy Velasquez, who was standing in the parking lot in front of the suspect's car. Deputy Kincaid said because of the angle in which he was driving he could not specifically tell exactly where Deputy Velasquez was standing in relation to the suspect vehicle, except to say he was in the general area in front of it. He said the car was traveling directly at Deputy Velasquez and he saw Deputy Velasquez fire two or three rounds at the car. He said the car made a hard right turn, drove through the parking lot and exited, via the easterly most driveway.

Sergeant Ruben Martinez said he saw Deputy Velasquez standing in the parking lot north of the suspect vehicle. He said when he first saw Deputy Velasquez he (Velasquez) was not directly in front of the suspect vehicle, but was offset toward the driver's side of the vehicle. He said he saw Deputy Velasquez draw his service weapon and point it toward the suspect vehicle and yell, "Turn off the car! Get out of the car!" He said during this time the windows of the suspect's vehicle were rolled up, however he said it was his opinion the suspect could hear Deputy Velasquez. Sergeant Martinez said during the time Deputy Velasquez was pointing his weapon at the suspect vehicle and yelling, the suspect drove the vehicle forward, striking the first concrete parking block, then the second concrete parking block, and proceeded forward directly toward Deputy Velasquez. He said he saw Deputy Velasquez attempt to jump out of the path of vehicle and fire two rounds from his duty weapon at the suspect vehicle as it was in motion and driving toward him. He said Deputy Velasquez was approximately three of four feet from the suspect vehicle when he fired his weapon.
Sergeant Martinez said the vehicle continued north for about 15 feet, then turned right and proceeded east across the parking lot.

Deputy Thomas Arellano said as the suspect vehicle began moving forward, he saw Deputy Velasquez approaching the situation from the north. He said Deputy Velasquez

was approximately 8 feet in front of the suspect vehicle. He said Deputy Velasquez had his duty weapon drawn and was yelling, "Stop! Stop!" as the suspect vehicle move forward. He said he then heard two shots. He said the suspect vehicle drove through the parking lot and exited onto Washington Boulevard, via the farthest east driveway.

Deputy EduardoVerdugo said he did not see anything that happened involving Deputy Velasquez or the shooting. He said did not know a shooting occurred until the entire incident was over.

Deputy Rene Gomez said the suspect vehicle was coming toward him. He said he withdrew his service weapon pointed at the vehicle and "tracked" the vehicle as it passed him and continued forward. He said during this time he saw Deputy Velasquez in front of the vehicle and saw Deputy Velasquez fire two rounds of the vehicle. Deputy Gomez said from his position Deputy Velasquez was initially not directly in front of the vehicle, but the vehicle veered toward him. Deputy Gomez said it was his impression the suspect intentionally redirected the vehicle toward Deputy Velasquez. Deputy Gomez said it was at that time when Deputy Velasquez fired his weapon. Deputy Gomez said he was concerned for Deputy Velasquez' safety. He said he considered firing at the suspect vehicle, but was concerned that Deputy Velasquez was in his line of fire. Deputy Gomez said as Deputy Velasquez fired, the vehicle turned right, drove through the parking lot in an easterly direction, and exited on Washington Boulevard.

Deputy Rene Vasquez said the suspect vehicle then drove forward jumping to concrete stopping blocks between the parking spaces. Deputy Vasquez said that as the suspect vehicle drove forward, he saw Deputy Velasquez standing to the north of the vehicle. He said Deputy Velasquez was slightly out of the vehicle's path to the left. However, he said the vehicle proceeded forward it turned toward Deputy Velasquez and was driving directly toward him. He said he saw Deputy Velasquez fire two rounds from his duty weapon into the driver's door of the vehicle. He said he saw the driver's door window shatter, at which point the vehicle made a right turn and drove east through the parking lot. Deputy Vasquez said that if the suspect vehicle had continued straight, it would have struck Deputy Velasquez.

Ms.[redacted] said deputies were walking after Schneider, pointing their guns in his direction. She said Schneider opened the driver's door of the car and as he was doing so she heard a gunshot. She said she did not know where the gunshot came from and did not know what direction the bullet went. She said Schneider quickly got into the car started the engine. She said Schneider began driving forward over the parking blocks. She said she was looking at him when she heard a second gunshot and a driver's side window shattered. She said she ducked down in the seat to avoid being shot. She said at that time she heard a third gunshot.

Suspect John Schneider said as he started to drive forward, he drove over the concrete parking blocks which were in front of his vehicle. He said at that time a deputy who was to the side of his car shot at him twice. He said the first shot was almost immediately upon driving forward. He said his front tire had jumped the concrete block, but his rear tires had not. He said this shot shattered the driver's side door window. He said he heard the second shot as he continued forward after both wheels had jumped the concrete block. He said it "scared the hell out of him." He said he never thought a deputy would shoot at him because he (Schneider) did not have a weapon. During his interview there was discussion relating to the specific location of the deputy who shot at him. Schneider specifically said the deputy was on the driver's side of his vehicle and not in front of it. He said he saw the deputy shot and saw the rounds being fired. He said there was no other deputy on the left side of his car.

INJURIES:

Suspect Schneider received a minor laceration to his left hand. The cause of the injury is unknown. Schneider was taken to Star Community Hospital and treated by the E.R. Staff under the direction of Doctor Eduardo Lopez. All medical documentation relating to this injury and treatment can be found on pages 37 - 40 of **Exhibit-A**.

There is no indication in the Homicide Bureau report that Ms. [redacted] was treated for the minor scrath on her right shoulder, aside from the treatment and examination given by Los Angeles County Fire Paramedics, as noted by Sergeant Martinez, who said he saw she had a scratch on her right shoulder. He said he asked her if she was okay and she said she was. He said as a precautionary measure he requested fire paramedics. He said as he observed the paramedics treat Ms. [redacted] and heard her tell them she was okay.

EVIDENCE:

Detective Sergeant Steve Katz and [redacted] of Homicide Bureau and Senior Criminalist James Carroll prosessed the crime scene and collected evidence. Mr. Carroll's report and photographs can be found in this report as **Exbitit-A**. Sergeant katz's report can be found on pages 50 thru 58 of the Homicide Bureau report, **Exhibit-B**.

Multiple photographs were taken both at the bank and at the scene of the collision. Selected photographs from those have been included in this report and can be found in the Photographs section.

The photographs depict physical evidence showing that Suspect Schneider backed his vehicle into Deputy Verdugo's radio car. There was damage to the right front of the radio

car and corresponding damage and paint transfer to the rear bumper of Schneider's vehicle.

Through the statements from the deputies and the identification of tire marks, the location of Schneider's vehicle when this incident started was determined, as indicated in the pictures.

The location of Deputy Velasquez' expended shell casings and statements from the deputies identify the area in which he was standing when he fired his weapon, as indicated in the pictures.

The photographs and report by Mr. Carroll identify the trajectory of Deputy Velasquez's bullets, as previously noted in this report.

During his interviews, Deputy Velasquez said the suspect vehicle was about 15 feet from him when he fired his weapon. Since Mr. Carroll, from the Crime Lab, had already identified the downward trajectory of the rounds, Sergeant Morris recontacted Mr. Carroll and requested that he conduct a reconstruction equation as to the distance Deputy Velasquez may have been from the suspect vehicle, based on Deputy Velasquez's height and the trajectory of the bullets. Mr. Carroll's additional report can be found in this report in **Exhibit-A**.

There were two rounds fired. The first one struck the driver's window then penetrated the passenger's door panel, as noted with evidence marker C. The second round struck the driver's door, as noted by evidence marker A.

Based on the known factors, Mr. Carroll determined that when the first round was fired (#C), Deputy Velasquez was a minimum of four and a half feet and maximum of seven and a half feet from the vehicle. He determined that when the second round was fired (#A), Deputy Velasquez was a minimum of one foot and a maximum of 13 feet, from the vehicle. The distance range is dependant on how Deputy Velasquez was holding his weapon and how he may have been standing, which are unknown factors.

> **I.A.B. Note:** The following information is provided for reference only: During his interview Deputy Velasquez said he did not remember how he was holding his weapon, except to say that it was in front of him. Assuming he was holding his weapon in front of him in a "point shoulder" fashion, the vehicle would have been approximately 3 and one half feet from him when he fired the first round and approximately seven and a half feet from him when he fired the second round. However, regardless of how he may have been standing or holding his weapon, based on Mr. Carroll's calculations the vehicle could have been as close an one foot, but no further than 13 feet from him.

PROSECUTION AND CRIMINAL HISTORY:

Suspect Schneider has a relatively short, albeit serious criminal history, bearing the following convictions:


[redacted]

October 21, 2003, a jury trial was held in Department 109 of the Criminal Courts Building regarding this incident (Court case #BA247897). The trial was presided over by Judge William Powell. On October 24, 2003, Suspect Schneider was found guilty of two counts of 245(c) P.C. November 12, 2003, Judge Powell sentenced Suspect Schneider to 82 years to life in prison.

EXECUTIVE FORCE REVIEW COMMITTEE

On February 26, 2004, this incident was reviewed by the Executive Force Review Committee, consisting of Commanders Michael Savidan, Linda Castro, and Dennis Conte. It was determined by the committee that the Force Review should be converted into an Administrative Investigation.